

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION

|                         |   |                                |
|-------------------------|---|--------------------------------|
| JEROME MACK KITE,       | ) |                                |
|                         | ) |                                |
| Petitioner              | ) |                                |
|                         | ) |                                |
| v.                      | ) | Case No. 1:12-cv-00198-SLB-HGD |
|                         | ) |                                |
| STATE OF ALABAMA and    | ) |                                |
| THE ATTORNEY GENERAL OF | ) |                                |
| THE STATE OF ALABAMA,   | ) |                                |
|                         | ) |                                |
| Respondents             | ) |                                |

**MEMORANDUM OPINION**

On May 15, 2014, the magistrate judge's report and recommendation was entered and the parties were allowed therein fourteen (14) days in which to file objections to the recommendations made by the magistrate judge. On May 26, 2014, petitioner filed objections to the magistrate judge's report and recommendation.

After careful consideration of the record in this case, the magistrate judge's report and recommendation, and the petitioner's objections thereto, the court hereby **ADOPTS** the report of the magistrate judge. The court further **ACCEPTS** the recommendations of the magistrate judge that the petition for writ of habeas corpus be denied.

A separate order in conformity with this Memorandum Opinion will be entered contemporaneously herewith.

**DONE** this 18th day of August, 2014.

*Sharon Lovelace Blackburn*

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SHARON LOVELACE BLACKBURN  
UNITED STATES DISTRICT JUDGE